

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
STATESVILLE DIVISION
CIVIL ACTION NO.: 5:05CV26**

ERIC ESANCY,)
)
Plaintiff,)
)
vs.)
)
JAMES T. QUINN,)
)
Defendant.)
)
_____)

ORDER

THIS MATTER is before the Court on Defendant's Motion to Dismiss and Motion for Summary Judgment. [Doc. #26].

Defendant filed his Motion to Dismiss and Motion for Summary Judgment on November 6, 2006. Plaintiff has not filed a response or otherwise acknowledged in any way that he intends to prosecute this suit.

IT IS, THEREFORE, ORDERED that, **on or before January 31, 2007**, Plaintiff is directed to **SHOW CAUSE** why this civil action should not be dismissed in its entirety for lack of prosecution pursuant to FED. R. CIV. P. 41(b).

Signed: January 11, 2007



Richard L. Voorhees
United States District Judge

